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The Honorable Rachel P. Kovner
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Robert Smith, 21-254 (RPK)

Dear Judge Kovner:

On behalf of Robert Smith in the above-referenced case, I write in an abundance of caution to advise the Court that I might have a scheduling conflict for the next (telephonic) conference in the case scheduled for July 22, 2021, at 2:00 p.m. At 11:00 a.m. that morning, I will be in Central Islip to appear before Judge Brown for sentencing in *United States v. Manson*, 13-CR-453 (GRB). While I would not typically think that a sentencing might take more than three hours, the case before Judge Brown is atypical, and it will be the first appearance in the case before Judge Brown, to whom it was reassigned after Judge Spatt's passing.

As my concerns are speculative, I am not requesting that the Court reschedule the conference, but wanted to alert the Court out of respect for the Court's calendar in the event I am delayed. At the least, if Judge Brown's sentencing continues into the afternoon, I will ask his Honor to permit me to call in for your Honor's conference before his Honor reconvenes.

Respectfully submitted,

/s/ Andrew J. Frisch
Andrew J. Frisch

cc: All Counsel